

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A FUND TRANSFER TO EACH UNIT OF THE
5 UNIVERSITY SYSTEM EQUAL TO 25 PERCENT OF THE SENIOR YEAR TUITION FOR EACH STUDENT
6 WHO GRADUATES WITHIN A PRESCRIBED TIMEFRAME; STATUTORILY APPROPRIATING THE AMOUNT
7 TRANSFERRED TO THE UNIT; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN EFFECTIVE
8 DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **NEW SECTION. Section 1. Report number of eligible students -- fund transfers -- appropriation.**

13 (1) At the end of each school year, the board of regents shall provide the department of administration with the
14 number of resident students, as defined in 20-25-501, who have graduated within 4 years or eight consecutive
15 regular semesters from each unit of the university system, listed in 20-25-201. Summer semesters are excluded
16 from the count of maximum semesters. The following resident students are also included in the number that the
17 board of regents reports under this subsection:

18 (a) those who must return for a ninth semester because of the limited scheduling of courses required
19 for graduation;

20 (b) those who must return for a 10th semester because of:

21 (i) employment throughout their college years averaging at least 10 hours a week; or

22 (ii) daily caretaking of one or more minor children;

23 (c) those who must return for a fifth year because they are pursuing a major that the commissioner of
24 higher education recognizes as a 5-year course of study; and

25 (d) those who must return for a sixth year because they are pursuing a major that the commissioner of
26 higher education recognizes as a 5-year course of study and either subsection (1)(b)(i) or (1)(b)(ii) apply.

27 (2) The department of administration shall transfer from the state general fund to each unit of the
28 university system an amount equal to 25% of the senior year tuition for each of the resident students reported
29 pursuant to subsection (1).

30 (3) The amounts transferred to each unit pursuant to this section are statutorily appropriated, as provided

in 17-7-502, to that unit for the purpose of providing all resident students qualifying under subsection (1) with a 25% rebate of their senior year tuition.

(4) For the purposes of this section, "tuition" means the tuition and other fees charged to a resident student attending a unit of the university system.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; [section 1]; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of

1 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L.
2 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's
3 unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates
4 July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion
5 of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202,
6 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005,
7 the inclusion of 15-31-906 terminates January 1, 2010.)"

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9 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an
10 integral part of Title 20, chapter 25, part 4, and the provisions of Title 20, chapter 25, part 4, apply to [section 1].

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12 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2007.

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